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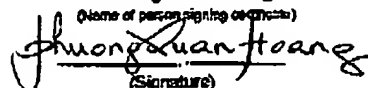
SEP 07 2004

Patent Application
Attorney Docket No. 04MV1073**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Inventor: Iyengar, Sridhar Srinivasa****Application No.: 09/345,289****Filing Date: 06/30/1999****Examiner: Anya, Charles E.****Art Unit: 2126****Title: A Metadata Driven System And Method For
Effecting Extensible Data Interchange Among
Software Tools In A Distributed Environment****CERTIFICATE OF TRANSMISSION****under 37 C.F.R. 1.8**I hereby certify that this
correspondence is being facsimile
transmitted to the United States
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(Date of transmission)

Phuong-Guan Hoang

(Name of person signing certificate)



(Signature)

September 7, 2004

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. 1.131

This declaration under 37 C.F.R. 1.131 is accompanying a response to the Final Office Action mailed on April 6, 2004 regarding the above-identified application.

As the sole named inventor of the above-identified application, I hereby declare the following:

1. I was the first to introduce the XMI concept, i.e., the concept of how to use UML, MOF and XML together to enable data interchange in a standardized way among software tools and repositories that may not be compliant to a common standard.
2. The relevant portions of the reference "XML Metadata Interchange (XMI), Proposal to the OMG QA&DTF RFP 3: Stream-based Model Interchange Format (SMIF)" dated July 6, 1998, originated with me. This reference was written under my leadership. This reference is a proposal that

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was jointly submitted to the Object Management Group Inc. (OMG) on July 6, 1998 by Unisys Corporation, IBM Corporation, Oracle Corporation and Platinum Technology, Inc.

3. I presented a short summary of the XMI concept at the OMG TC Meeting in Seattle, WA on September 16, 1998. The 9 slides of this 9/16/1998 presentation are contained in the attached document entitled "XML Metadata Interchange (XMI), Proposal to OA&DTF RFP-3, Stream Based Model Interchange Format (SMIF)". This document is available on the Web at the following website: http://www.heckle.de/files/xmi_seattle.pdf. I am the main author of this document. In particular, I am the sole author of the material shown on page 5 of this 9/16/1998 document.

The date of this document, namely, 9/16/1998, is prior to the date of the Brodsky reference entitled "XMI Opens Application Interchange" cited by the Examiner, which is 3/30/1999.

4. I presented a detailed description of the XMI concept including a description of its implementation and proof of concept at the OMG Meta-Data Conference in Atlantic City, April 19-22, 1999. The 38 slides of this presentation are available at the official OMG website as document omg/99-04-04: <http://www.omg.org/cgi-bin/doc?omg/99-04-04>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 7, 2004


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9/7/2004